The National Era is Published Weekly, on eventh Street, opposite Odd Fellows' Hall.

Two dollars per annum, payable in advance.

Advertisements not exceeding ten lines inserted
see times for one dollar; every subsequent insertion, twenty-five cents.

All communications to the Era, whether on business of the paper or for publication, should be addressed to

G. Bailey, Washington, D. C.

BUELL & BLANCHARD, PRINTERS, Sixth Street, a few doors south of Penn. Avenue.

WASHINGTON, D. C. FREEDOM NATIONAL; SLAVERY SECTIONAL.

HON CHAS, SUMNER, OF MASSACHUSETTS, ON HIS MOTION

TO REPEAL THE FUGITIVE SLAVE BILL IN THE

SENATE OF THE UNITED STATES. THURSDAY, AUGUST 26, 1852.

The Civil and Diplomatic Appropriation Bill being under consideration, the following amendment was moved by the Committee on Finance :

That where the ministerial officers of the United States have or shall incur extraordinary expenses in executing the laws thereof, the payment of which is not specifically provided for, the President of the not specifically provided for, the President of the United States is authorized to allow the payment thereof, under the special taxation of the district or circuit court of the district in which the said services have been or shall be rendered, to be paid from the appropriation for defraying the expenses of the judi-

Mr. SUMNER moved the following amendment to

thorized for any expenses incurred in executing the act of September 18, 1850, for the surrender of fugi-tives from service or labor; which said act is hereby

on this he took the floor, and spoke as follows: Mr. President: Here is a provision for extraordinary expenses incurred in executing the laws of the United States. Extraordinary expenses! Sir, beneath these specious words larks the very subject on which, by a solemn vote of this body, I was refused a hearing. Here it is; no longer open to the charge of being an "abstraction," but actually presented for practical legislation; not introduced by me but by one of the important committees of the Senate; not brought forward weeks ago, when there was ample time for discussion, but only at this moment, without any reference to the late period of the session. The amendment, which I now offer, proposes to remove one chief occasion of these extraordinary expenses. And now, at last, among these final crowded days of our duties here, but at this earliest op-portunity, I am to be heard: not as a favor, but as a right. The graceful usages of this body may be abandoned, but the established privileges of debate cannot be abridged. Paramentary courtesy may be forgotten, but Paramentary law must prevail. The subject is

broadly before the Senate. By the blessing of

lod, it shall be discussed. Sir. a severe lawgiver of early Greece vainly ought to secure permanence for his imperfect astitutions, by providing that the citizen who, at any time, attempted an alteration or repeal lic assembly with a halter about his neck, ready to be drawn if his proposition failed to be adopted. A tyrannical spirit among us, in unconscious imitation of this antique and discarded barbarism, seeks to surround an offenive institution with a similar safeguard. In the existing distemper of the public mind and at this present juncture, no man can enter upon the service which I now undertake, without a the service which I now undertake, without a personal responsibility, such as can be sustained only by that sense of duty which, under God, is always our best support. That personal responsibility I accept. Before the Senate and the country let me be held accountable for this act, and for every word which I utter. With me, sir, there is no alternative. Painwoes of slavery; profoundly believing that, according to the true spirit of the Constitution and the sentiments of the fathers, it can find s in every respect sectional, and in no respect national—that it is always and everywhere the creature and dependent of the States, and never anywhere the creature or dependent of the lative or other act, impart to it any support, under the Constitution of the United States; with these convictions, I could not allow this against the usurpation, injustice, and cruelty, of the late enactment by Congress for the recovery of fugitive slaves. Full well I know, sr. the difficulties of this discussion, arising conclusions, strong and sincere as my own Full well I know that I am in a small minoriwith few here to whom I may look for symmust utter things unwelcome to many in this body, which I cannot do without pain. Full well I know that the institution of slavery in well I know that the institution of slavery in our country, which I now proceed to consider, is as sensitive as it is powerful—possessing a power to shake the whole land with a sensitiveness that shrinks and trembles at the touch. But, while these things may properly prompt me to caution and reserve, they cannot change my duty, or my determination to perform it. For this I willingly forget myself, and all personal consequences. The favor and goodwill sonal consequences. The favor and good-will of my fellow-citizens, of my brethren of the Senate, sir—grateful to me as it justly is—I am

Senate, sir—grateful to me as it justly is—I am ready, if required, to sacrifice. All that I am or may be, I freely offer to this cause.

And here allow me, for one moment, to refer to myself and my position. Sir, I have never been a politician. The slave of principles, I call no party master. By sentiment, education, and conviction, a friend of Human Rights, in their utmost expansion, I have ever most sincerely embraced the Democratic Idea; not, indeed, as represented or professed by any party, but according to its real significance, as transfigured in the Declaration ever most sincerely embraced the Democratic Idea; not, indeed, as represented or professed by any party, but according to its real significance, as transfigured in the Declaration of Independence, and in the injunctions of Christianity. In this Idea I saw no narrow advantages merely for individuals or classes, but the sovereignty of the people and the greatest happiness of all secured by equal laws. Amidst the vicissitudes of public affairs, I trust always to hold fast to this Idea, and to any political party which truly embraces it.

United States—I speak of the National Government—to Slavery, though plain and obvious are constantly misunderstood. A popular belief at this moment makes Slavery a national institution, and, of course, renders its support a national duty. The extravagance of this trion, which our fathers most carefully omitted to name in the Constitution, which, according to the debates in the Convention, they refused to cover with any "sanction," and which, at the original organization of the Government, was merely sectional, existing nowhere on the

Party does not constrain me; nor is my independence lessened by any relations to the office which gives me a title to be heard on this floor. And here, sir, I may speak proudly. By no effort, by no desire of my own, I find myself a Senator of the United States. Nover before have I held public office of any kind. With the ample opportunities of private life I was content. No tombstone for me could bear a fairer inscription than this: "Here lies one who, without the honors or emoluments of public station, did something for his fellow man." From such simple aspirations I was taken away sation, did something for his fellow man." From such simple aspirations I was taken away by the free choice of my native Commonwealth, and placed in this responsible post of duty, without personal obligation of any kind, beyond what was implied in my life and published words. The carnest friends, by whose confidence I was first designated, asked nothing from me, and, throughout the long conflict which ended in my election, rejoiced in the position which I most carefully guarded. To all my language was uniform, that I did not desire to be brought forward; that I would do nothing to promote the result; that I had no pledges or promises to offer; that the office should seek me, and not I the office; and that it should find me in all respects an independent man, bound to no party and to no human being, but only, according to my best judgment, to act for the good of all. Again, sir, I speak with pride, both for myself and others, when I add that these avowals found a sympathizing response. In this spirit I have come here, and in this spirit I shall speak to-day.

WASHINGTON, THURSDAY, SEPTEMBER 2, 1852. Rejoicing in my independence and claim- ded stories, that the toad has a stone in its

of the Republic, with its grandest names, its

surest landmarks, and all its original altar-

And now, on the very threshold, I encounter

the objection that there is a final settlement, in principle and substance, of the question of Slavery, and that all discussion of it is closed. Both the old political parties of the country, by

as mal resolutions, have united in this declara-

ted the public mind; which yet palpitates in

every heart and burns on every tongue; which,

in its immeasurable importance, dwarfs all other subjects; which, by its constant and gi-

gantic presence, throws a shadow across these Halls: which at this very moment calls for ap-

propriations to meet extraordinary expenses it has caused, they have imposed the rule of si-lence. According to them, sir, we may speak of everything except that alone, which is most present in all our minds.

To this combined effort I might fitly reply, that, with flagrant inconsistency, it challenges the very discussion which it pretends to forbid

Such a declaration, on the eve of an election,

is, of course, submitted to the consideration and ratification of the people. Debate, in-quiry, discussion, are the necessary conse-quence. Silence becomes impossible. Slavery,

which you profess to banish from the public

attention, openly by your invitation enters

Senate, crying, like the daughters of the horse-

But no unanimity of politicians can uphold

the baseless assumption, that a law, or any conglomerate of laws, under the name of Com-

promise, or howsoever called, is final. Nothing

can be plainer than this; that, by no Parlia-

mentary device or knot, can any Legislature

tie the hands of a succeeding Legislature, so as to prevent the full exercise of its constitu-

tional powers. Each Legislature, under a just

sense of its responsibility, must judge for it-

self; and, if it think proper, it may revise or amend, or absolutely undo the work of its pre-decessors. The laws of the Medes and Persians

are proverbially said to have been unalterable

but they stand forth in history as a single example of such irrational defiance of the true

To make a law final, so as not to be reached

by Congress, is, by mere legislation, to fasten a

new provision on the Constitution. Nay, more; it gives to the law a character which the very

Constitution does not possess. The wise fathers

never to grow after infancy; but, anticipating Progress, they declared expressly that their Great Act is not final. According to the Con-stitution itself, there is not one of its existing

provisions-not even that with regard to fugi-

be reached by amendment, and thus be drawn into debate. This is rational and just. Sir,

nothing from man's hands, nor law, nor con-

stitution, can be final. Truth alone is final.

Inconsistent and absurd, this effort is tyran-

nical also. The responsibility for the recent Slave Act and for Slavery everywhere within

the jurisdiction of Congress necessarily involved

on Slavery-now repealed and dishonored-

curtailment of the actual powers of legisla-tion, and a perpetual denial of the indisputa-ble principle that the right to deliberate is co-

of Massachusetts, I protest against this wrong.

On Slavery, as on every other subject, I claim the right to be heard. That right I cannot, I will not abandon. "Give me the liberty to know, to utter and to argue freely, above all

liberties." These are the glowing words which flashed from the soul of John Milton, in his struggles with English tyranny. With equal fervor they should be echoed now by every

But, sir, this effort is impotent as tyrannical. The convictions of the heart cannot be re-

pressed. The utterances of conscience must be heard. They break forth with irrepressible

might. As well attempt to check the tides of Ocean, the currents of the Mississeppi, or the rushing waters of Niagara. The discussion of Slavery will proceed, wherever two or three are gathered together—by the fireside, on the highway, at the public meeting, in the church. The movement against Slavery is from the Everlasting Arm. Even now it is gathering its forces against the conferred everywhere.

its forces, soon to be confessed everywhere. It may not yet be felt in the high places of office and power; but all who can put their ears humbly to the ground, will hear and compre-hend its incessant and advancing tread.

The relations of the Government of the United States—I speak of the National Gov-

the exclusive control of the States, and which the nation has nothing to do.

As Slavery assumes to be national, so, by an equally strange perversion, Freedom is degraded to be sectional, and all who uphold it, under the national Constitution, share this same epithet. The honest efforts to secure its

might. As well attempt to check the

American, not already a slave.

"Give! give!"

principles of all law.

On a subject which for years has agita-

fires about me.

The subject presents itself under two princi-pal heads; First, the true relations of the Nalong to debate, and which especially become this body. Slavery I must condemn with my whole soul; but here I need only borrow the tional Government to Slavery, wherein it will appear that there is no national fountain out of which Slavery can be derived, and no nalanguage of slaveholders themselves; nor would it accord with my habits or my sense of justice tional power, under the Constitution, by which to exhibit them as the impersonation of the in-stitution—Jefferson calls it the "enormity" it can be supported. Enlightened by this general survey, we shall be prepared to consider, Secondar, the true nature of the provision which they cherish. Of them I do not speak; but without fear and without favor, as without for the rendition of fugitives from labor, and herein especially the unconstitutional and ofimpeachment of any person, I assail this wrong. Again, sir, I may err; but it will be with the Fathers. I plant myself on the ancient ways fensive legislation of Congress in pursuance

> I And now for the TRUE RELATIONS OF THE NATIONAL GOVERNMENT TO SLAVERY. These

> will be readily apparent, if we do not neglect well-established principles.
>
> If Slavery be national, if there be any power in the National Government to uphold this institution as if the recent Slave Act-it must be by virtue of the Constitution. Nor can it be by mere inference, implication, or conjecture ording to the uniform admission of courts and jurists in Europe, again and again promul gated in our country, Slavery can be derived only from clear and special recognition. "The state of Slavery," said Lord Mansfield, pronouncing judgment in the great case of Somersett, "is of such a nature, that it is incapable of being introduced on any reasons moral or political, but only by positive law. It is so odious, that nothing can be suffered to support it but Positive Law."—(Howell's State Trials, vol. 20, p. 82.) And a slaveholding tribunal, the Supreme Court of Mississippi, adopting the same principle, has said :

"Slavery is condemned by reason and the laws of nature. It exists and can exist only through municipal regulations." — (Harry vs. Decker, Walker R.,

And another slaveholding tribunal, the Su preme Court of Kentucky, has said: "We view this as a right existing by positive lan

every political meeting and every political convention. Nay, at this moment it enters this Of course every power to uphold Slavery must have an origin as distinct as that of Slavery itself. Every presumption must be as strong against such a power as against Slavery. A power so peculiar and offensive, so hostile to reason, so repugnant to the law of nature and the inborn Rights of Man; which despoils its victims of the fruits of their labor; which substitutes concubinage for marriage; which abrogates the relation of parent and child; which, by a denial of education, abases the intellect, prevents a true knowledge of God, and murders the very soul; which, amidst a plau-sible physical comfort, degrades man, created in the divine image, to the level of a beast ;- such a power, so eminent, so transcendent, so tyran-nical, so unjust, can find no place in any system of Government, unless by virtue of positive sanction. It can spring from no doubtful phrases. It must be declared by unambiguous

words, incapable of a double sense.

Slavery, I now repeat, is not mentioned in the Constitution. The name Slave does not pollute this Charter of our Liberties. No "posimake a Slave or to hunt a Slave. To find even any seeming sanction for either, we must travel, with doubtful footsteps, beyond its express letter, into the region of interpretation. But here are rules which cannot be disobeyed. With electric might for Freedom, they send a pervasive influence though every provision, clause, and word of the Constitution. Each and all make Slavery impossible as a national institu-

fountain out of which it can be derived.

First and foremost, is the Preamble. This discloses the prevailing objects and principles of the Constitution. This is the vestibule through which all must pass, who would enter the sacred temple. Here are the inscriptions by which they are earliest impressed. Here they first catch the genius of the place. Here the proclamation of Liberty is first heard. "We the People of the United States," says the Preamble, "in order to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America." Thus, according to undeniable the right to discuss them. To separate these is impossible. Like the twenty-fifth rule of the House of Representatives against petitions ble principle that the right to deliberate is coextensive with the responsibility for an act.
To sustain Slavery, it is now proposed to trample on free speech. In any country this would
be grievous; but here, where the Constitution
expressly provides against abridging freedom
of speech, it is a special outrage. In vain do
we condemn the despotisms of Europe, while
we borrow the rigors with which they repress
Liberty, and goard their own uncertain power.
For myself, in no factious spirit, but solemnly
and in loyalty to the Constitution, as a Senator
of Massachusetts. I protest against this wrong. of America." Thus, according to undeniable words, the Constitution was ordained, not to establish, secure, or sanction Slavery—not to promote the special interests of slaveholders— not to make Slavery national, in any way, form, or manner; but to "establish justice," "pro-mote the general welfare," and "secure the blessings of Liberty." Here surely Liberty is

ble are the explicit contemporaneous declara-tions in the Convention which framed the Con-stitution, and elsewhere, expressed in different forms of language, but all tending to the same conclusion. By the Preamble, the Constitution speaks for Freedom. By these declarations, the Fathers speak as the Constitution speaks. Early in the Convention, Gouvernour Morris, of Pennsylvania, broke forth in the language of an Abolitionist: "He never would concur in upholding domestic slavery. It was a nefarious institution. It was the curse of Heaven on the State where it prevailed." Oliver Ellsworth, of Connecticut, said: "The morality or wisdom of Slavery are considerations belonging to the States themselves." According to him, Slavery was sectional.

was sectional.

At a later day, a discussion ensued on the clause touching the African slave trade, which reveals the definitive purposes of the Convention. From the report of Mr. Madison we learn what was said. Elbridge Gerry, of Massachusetts, "thought we had nothing to do with the conduct of the States as to Slavery, but we ought to be careful not to give any sanction to it." According to these words, he regarded Slavery as sectional, and would not make it national. Roger M. Sherman, of Connecticut, "was opposed to any tax on slaves imported, as making the matter worse, because it maying they were property." He would not imported as making the matter worse, because it implied they were property." He would not have Slavery national. After debate, the subject was committed to a committee of eleven, who subsequently reported a substitute, authorizing "a tax on such migration or importation, at a rate not exceeding the average of durance of the substitute of the substitute." This language classify. ation, at a rate not exceeding the average of duties laid on imports." This language, classifying persons with merchandise, seemed to imply a recognition that they were property. Mr. Sherman at once declared himself "against this part, as acknowledging men to be property, by taxing them as such under the character of slaves." Mr. Gorham "thought Mr. Sherman should consider the duty not as implying that slaves are property, but as a discouragement to the importation of them." Mr. Madison, in mild juridical phrase, "thought it wrong to admit in the Constitution the idea that there could be property in man." After discussion, it was finally agreed to make the clause read:

"But a tax or duty may be imposed on such imthe original organization of the Government, was merely sectional, existing nowhere on the national territory, is now above all other things blazoned as national. Its supporters plume themselves as national. The old political parties, while upholding it, claim to be national. A National Whig is simply a Slavery Whig, and a National Democrat is simply a Slavery Democrat, in contradistinction to all who regard Slavery as a sectional institution, within the exclusive control of the States and with

"But a tax or duty may be imposed on such in and epithet. The honest efforts to scenare its blossings, everywhere within the jurisdiction of Congress, are scouted as sectional; and this blossings, everywhere within the jurisdiction of Congress, are scouted as sectional; and this cause, which the founders of our National Government had so much at heart, is called by the principles of John Caivin, in more moderate language, but by a public act, recommending "to all the people of the commonplaces of political speech, are adopted and misappiled by most persons with the commonplaces of political speech, are adopted and misappiled by most persons with the commonplaces of political speech, are adopted and misappiled by most persons with the commonplaces of political speech, are adopted and misappiled by most persons with the commonplaces of political speech, are adopted and misappiled by most persons with the commonplaces of political speech, are adopted and misappiled by most persons with the commonplaces of political speech, are adopted and misappiled by most persons with the commonplaces of political speech, are adopted and misappiled by most persons with the commonplaces of political speech, are adopted and misappiled by most persons with the commonplaces of political speech, are adopted and misappiled by most persons with the commonplaces of political speech, are adopted and misappiled by most persons with the commonplaces of political speech, are adopted and misappiled by most persons with the commonplaces of political speech, are adopted and misappiled by most persons with the commonplaces of political speech, are adopted and misappiled by most persons with the commonplaces of political speech, are adopted and misappiled by most persons with the commonplaces of political speech, are adopted and misappiled by most persons with the commonplaces of political speech, are adopted and misappiled by most persons which the foundation of the common places of political speech, are adopted and misappiled dependence of the mistage of the commonplaces of political spe The difficulty seemed then to be removed, and The difficulty seemed then to be removed, and the whole clause was adopted. This record demonstrates that the word "persons" was employed in order to show that slaves, everywhere under the Constitution, were always to be regarded as persons, and not as property, and thus to exclude from the Constitution all idea that there can be property in man. Remember well, that Mr. Sherman was opposed to the clause in its original form, "as acknowledging

Afterwards, in the first Congress under the Constitution, on a motion, which was much debated, to introduce into the Impost Bill a duty where within the National Territory on the importation of slaves, the same Roger M. Sherman, who in the National Convention M. Sherman, who in the National Convention had opposed the idea of property in man, authoritatively exposed the true relations of the constitution to Slavery, stis language was, as a sectional institution, beneath the shelter as a sectional institution of the sea, an executable piracy, the trade in slaves, was still, to the national scandal, tole-rated under the national flag. In the States, as a sectional institution, beneath the shelter as a sectional institution, beneath the shelter as a sectional institution. persons as property; it speaks of them as per-

Thus distinctly and constantly, from the very lips of the framers of the Constitution, we learn the falsehood of the recent assumptions in favor

of Slavery and in derogation of Freedom. Thirdly. According to a familiar rule of interpretation, all laws concerning the same mat-ter, in pari materia, are to be construed to-The Government gether. By the same reason, the grand politi-cal acts of the Nation are to be construed together, giving and receiving light from each other. Earlier than the Constitution was the Declaration of Independence, embodying, in immortal words, those primal truths to which our country pledged itself with its baptismal vows as a Nation. "We hold these truths to be self-evi-dent," says the Nation, "that all men are created equal, that they are endowed by their Creator with certain unalienable rights; that among them are life, liberty, and the pursuit of happiness; that to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed." But this does not stand alone governed." But this does not stand alone. There is another national act of similar import. On the successful close of the Revolution, the Continental Congress, in an address to the people, repeated the same lofty truth. "Let it be remembered," said the Nation again, "that it has ever been the pride and the boast of America, that the rights for which she has contended were the rights of human nature. By the blessing of the Author of these rights, they have prevailed over all opposition, and FORM THE BASIS of thirteen independent States." Such were the acts of the Nation in its united capacity. Whatever may be the privileges of States in their individual capacities, within

Fourthly. Beyond these is a pr tion under the Constitution every word is to be construed in favor of liberty. This rule, which commends itself to the natural reason, is suscatch at anything in favor of liberty."—(2) Black Com., 94) The rule is repeated in various forms. Favores ampliandi sunt; odia restringenda. Favors are to be amplified; hateful things to be restrained. Lex Anglia est lex misericordia. The law of England is a law of mercy. Anglia jura in omni casu libertati dant favorem. The laws of England in every case shew favor to liberty. And this sentiment breaks forth in natural, though interest of the meaning the property of the control of the control of the property. tense, force, in the maxim: Impius et crudelis judicandus est qui libertati non favet. He is to be adjudged impious and cruel who does not favor liberty. Reading the Constitution in the

admonition of these rules, again I say Freedom is national.

Fifthly. From a learned judge of the preme Court of the United States, in an opinion of the Court, we derive the same lesson. In considering the question, whether a State can prohibit the importation of slaves as merchan-dize, and whether Congress, in the exercise of dize, and whether Congress, in the exercise of its power to regulate commerce among the States, can interfere with the slave-trade between the States, a principle has been enunciated, which, while protecting the trade from any intervention of Congress, declares openly that the Constitution acts upon no man as property. Mr. Justice McLean says: "If slaves are considered in some of the States as merchandise, that cannot divest them of the lead-

Driving far off each thing of sin and guilt. To the history and prevailing sentiments of the times we may turn for further assurance. In the spirit of Freedom the Constitution was formed. In this spirit our Fathers always spoke and acted. In this spirit the National Government. ernment was first organized under Washing-ton. And here I recall a scene, in itself a touchstone of the period, and an example for us, upon which we may look with pure na-tional pride, while we learn anew the relations

of the National Government to Slavery.

The Revolution had been accomplished. The feeble Government of the Confederation had feeble Government of the Confederation had passed away. The Constitution, slowly matured in a National Convention, discussed before the people, defended by masterly pens, had been already adopted. The thirteen States stood forth a nation, wherein was unity without consolidation, and diversity without discord. The hopes of all were anxiously hanging upon the new order of things and the mighty procession of events. With signal unanimity Washington was chosen President. Leaving his home at Mount Vernon, he repaired to New York, where the first Congress had already commenced its session, to assume his place as elected Chief of the Republic. On the thirtieth of April, 1789, the organiza-On the thirtieth of April, 1789, the organization of the Government was completed by his inauguration. Entering the Senate Chamber, where the two Houses were assembled, he was informed that they awaited his readiness to receive the oath of office. Without delay, attended by the Senators and Representatives, with friends and men of mark gathered about him, he moved to the balcony in front of the edifice. A countless multitude, thronging the open street, and eagerly watching this great espousal.

vention, to which the Constitution, when com- and its stars on a field of blue. As his patriot upon the candor and magnanimity of the Senate. I now ask your attention; but I trust not to abuse it. I may speak strongly; for I shall speak openly and from the strength of my convictions. I may speak warmly; for I shall speak from the heart. But in no event can I forget the amenities which belong to debate, and which agreeight become not in our power to do anything for or against those who are in Slavery in the Southern States.

No gentleman within these walls detests every idea of Slavery more than I do; it is generally detested by the people of this Commonwealth; and I ardently hope the time will soon come, when our brethren in the Southern States will when our brethren in the Southern States will be added, was unalterably established. To her alded, was unalterably established. To view it as we do, and put a stop to it; but to every beholder these memories must have been this we have no right to compel them. Two full of pride and consolation. But looking questions naturally arise: If we ratify the Constitution, shall we do anything by over act to hold the blacks in Slavery—or shall we become partakers of other men's sins? I think neither the file the soul—more even than the suggestions of Union which I prize so much. At this of the College, by one of its learned of the common law, the Constitution must be MOMENT, WHEN WASHINGTON TOOK HIS FIRST OATH TO SUPPORT THE CONSTITUTION OF THE COVERED A SINGLE SLAVE. Then, indeed, was Slavery sectional and Freedom national.

of local laws, Slavery unhappily found a home But in the only territories at this time belong-ing to the Nation, the broad region of the North-west, it had already, by the Ordinance of Freedom, been made impossible, even before the adoption of the Constitution. The District of Columbia, with its fatal incumbrance, had not

The Government thus organized was Anti-Slavery in character. Washington was a slaveholder; but it would be unjust to his memory not to say that he was an Abolitionist also. His opinions do not admit of question. Only a short time before the formation of the National Constitution, he had declared, by letter, "that it was among his first wishes to see some plan adopted by which Slavery may be abolished by law;" and again, in another letter, "that, in support of any legislative measure for the abolition of slavery, his suffrage should not be wanting:" and still further, in conversation with a distinguished European Abolitionist, a travelling propagandist of Freedom, Brissot de Warville, recently welcomed to Mount Vernon, he had openly announced, that to promote this object in Virginia, "he desired the formation a Society, and that he would second it. By this authentic testimony, he takes his place with the early patrons of Abolition societies. By the side of Washington, as standing be-

neath the national flag he swore to support the Constitution, were illustrious men, whose lives and recorded words now rise in judgment. There was John Adams, the Vice President-great vindicator and final negotiator of our national independence-whose soul, flaming with freedom, broke forth in the early ing the important post of Minister of Foreign Affairs under the Confederation, he found time to organize the Abolition Society of New York, and to act as its President until, by the nomination of Washington, he became Chief Justice of the United States. In his sight Sinvery was an "iniquity," "a sin of crimson dye," against which ministers of the gospel should testify, and which the Government should seek in every way to abolish. "Were I in the Legislature," he wrote, "I would present a bill for this purpose with great care, and I would never cease moving it till it became a law or I ceased to be a mem-ber. Till America comes into this measure, her prayers to Heaven will be impious."

But they were not alone. The convictions and earnest aspirations of the country were with them. At the North these were broad and general. At the South they found fervid precocious efforts for "total emancipation," the Author of the Declaration of Independence placed himself foremost among the Abolitionists of the land. In language now familiar to all, and which can never die, he perpetually denounced Slavery. He exposed its pernicious influences upon master as well as slave; de-clared that the love of justice and the love of country pleaded equally for the slave, and that the "abolition of domestic slavery was the greatest object of desire." He believed that the "sacred side was gaining daily recruits." accomplishment of this good work. In fitful sympathy with Jefferson was another honored son of Virginia, the Orator of Liberty, Patrick Henry, who, while confessing that he was a justify it. However culpable my conduct, I will so far pay my devoir to virtue, as to own the excellence and rectitude of her precepts, and lament my want of conformity to them." At this very period, in the Legislature of Mary-land, on a bill for the relief of oppressed slaves, a young man, afterwards by his consummate learning and forensic powers the acknowleged n a speech of earnest, truthful eloquence-bet ter far for his memory than his transcendent professional fame—branded Slavery as iniqui-tous and most dishonorable;" "founded in a tous and most dishonorable;" "founded in a disgraceful traffic;" "as shameful in its continuance as in its origin;" and he openly declared, that, "by the eternal principles of natural justice, no master in the State has a right to hold his slave in bondage a single hour."

Thus at this time spoke the NATION. The CHURCH also joined its voice. And here, amidst the diversities of religious faith, it is instructive to observe the general accord. The Quakers first to observe the general accord. The Quakers first bore their testimony. At the adoption of the Constitution their whole body, under the early teaching of George Fox, and by the crowning exertions of Benezet and Woolman, had become an organized band of Abolitionists, penetrated by the conviction that it was unlawful to hold a fellow-man in bondage. The Methodists, numerous, earnest, and faithful, never ceased by their preachers to proclaim the same truth. Their rules in 1788 denounced in formal lantheir preachers to proclaim the same truth. Their rules in 1788 denounced in formal language "the buying or selling of bodies and souls of men, women, and children, with an intention to enslave them." The words of their great apostle, John Wesley, were constantly repeated. On the eve of the National Convention, the burning tract was circulated in which the world—"such Slavery as is not found among the Torks at Algiers"—and, after de-claring "liberty the birthright of every human creature, of which no human law can deprive him," he pleads: "If, therefore, you have any regard to justice, (to say nothing of mercy or the revealed law of God.) render unto all their due. Give liberty to whom liberty is due, that is, to every child of man, to every partaker of human nature." At the same time, the Preshuman nature." At the same time, the Presbyterians, a powerful religious body, inspired by the principles of John Calvin, in more moderate language, but by a public act, recorded their judgment, recommending "to all the people under their care to use the most prudent measures consistent with the interest and the state of civil society, to procure eventually the final abdition of Slavery in America." The Congregationalists of New England, also of the faith of John Calvin, and with the hatred of

shortly after the adoption of the Constitution, the second Jonathan Edwards, a twice-honored name, in an elaborate discourse often published, called upon his country, "in the present blaze of light" on the injustice of Slavery, to prepare the way for "its total abolition." gladly thought at hand. "If we judge of the fuas shameful for a man to hold a negro slave as to be guilty of common robbery or theft.'

Thus, at this time, the Church, in harmony with the Nation, by its leading denominations, Quakers, Methodists, Presbyterians, and Congregationalists, thundered against Slavery. professors, claimed for the slaves "equal privi- of the common law, the Constitution must be leges with the whites." Yale College, by its interpreted openly, actively, and perpetually, President, the eminent divine, Ezra Stiles, became the head of the Abolition Society of Condition of the Supreme Court, it acts upon slaves, not necticut. And the University of William and as property, but as persons; that, at the first Mary, in Virginia, testified its sympathy with this cause at this very time, by conferring upon Granville Sharp, the acknowledged chief of and existed nowhere beneath the national flag Doctor of Laws. The LITERATURE of the land, such as then

existed, agreed with the Nation the Church and the College. Franklin, in the last literary labor of his life; Jefferson, in his Notes on Virginia; Barlow, in his measured verse; Rush, in a work which inspired the praise of Clark-son; the ingenious author of the Algerine Captive - the earliest American novel, and though now but little known, one of the earliest American books republished in Londonwere all moved by the contemplation of Slave-ry. "If our fellow-citizens of the Southern States are deaf to the pleadings of nature," the latter exclaims in his work, "I will conjure them, for the sake of consistency, to cease to deprive their fellow-creatures of freedom, which their writers, their orators, representatives, and senators, and even their constitution of Gov-

birthright of man." Such, sir, at the adoption of the Constitution and at the first organization of the National Government, was the out-spoken, unequivocal heart of the country. Slavery was abborred. Like the slave trade, it was regarded as temporary; and, by many, it was supposed that they would both disappear together. Voices of Freedom filled the air. The patriot, the Christian, the scholar, the writer, vied in loy-

ernment, have declared to be the inalienable

ty to this cause. All were Abolitionists. Glance now at the earliest Congress under the Constitution. From various quarters me-morials were presented to this body against Slavery. Among these was one from the Abo-lition Society of Virginia, wherein Slavery is pronounced "not only an odious degradation, but an outrageous violation of one of the most declaration that "consenting to Slavery is a sacrilegious breach of trust," and whose immitiessential rights of human nature, and utterly States in their individual capacities, within their several local jurisdictions no power can be attributed to the Nation, in the absence of positive, unequivocal grant, inconsistent with these two national heart, the national soul, the national will, the national voice, which must inspire our interpretation of the Constitution, and enter into and diffuse itself through all the national legislation. Thus again is Freedom national.

Fourthly. Beyond these is a principle of the Abelian several local jurisdictions, no power can be attributed to the Nation, in the absence of positive, unequivocal grant, inconsistent with this wrong has been made immortal in his dest odants. There also was a companion in arms and attached friend, of incompanion in arms and attached tional Convention, had again set his name to the Constitution—in whom more, perhaps, than in any other person, was embodied the true spirit of American institutions, at once practi-cal and humane—than whom no one could be more fumiliar with the purposes and aspira-tions of the founders—this veteran, eighty-four years of age, within a few months of his death, now appeared by petition at the bar of that Congress whose powers he had helped to de-Congress, whose powers he had helped to define and establish. This was the last political act of his long life. Listen now to the prayer

"Your memorialists, particularly engaged in attending to the distresses arising from Slavery, believe it to be their indispensable duty to present this subject to your notice. They have observed with real satisfaction that many important and salutary powers are vested in you for promoting the welfare and socuring the blessings of liberty to the people of the United States; and as they conceive that those blessings ought rightfully to be administered, without distinction of color, to all descriptions of people, so they indulge themselves in the pleasing expectation, that nothing which can be done for the relief of the unhappy objects of their care, will be either omitted on delayed." "Under those impressions, they cannostly entreat your serious attention to the subject of Slavery; that you will be pleased to countenance the restoration of liberty to those unhappy men, who alone in this land of Freedom, are degraded into perpetual bandage, and who, amidst the general joy of surrounding freemen, are gronning in service subjection: that you will promote mercy and justice towards this distressed race and that you will step to the very verge of the power vested in you for DISCOURAGING every species of traffic in the persons of our fellow men." "Your memorialists, particularly engaged in

Important words! In themselves a key-note of the times. From his grave Franklin seems still to call upon Congress to step to the very verge of the povers vested in it to DISCOURAGE SLAVERY; and, in making this prayer, he proclaims the true national policy of the Fathers. Not encouragement, but discouragement of

Slavery was their rule.

Sir, enough has been said to show the sentiment which, like a vital air, surrounded the National Government as it stepped into being. In the face of this history, and in the absence of any positive sanction, it is absurd to suppose that Slavery, which under the Confederation was merely sectional, was now constituted a national institution. But there is yet another

link in the argument.

In the discussions which took place in the local conventions on the adoption of the Constitution, a sensitive desire was manifested to surround all persons under the Constitution with additional safeguards. Fears were ex-pressed from the supposed indefiniteness of some of the powers conceded to the National Government, and also from the absence of a Bill of Rights. Massachusetts, on ratifying the Constitution, proposed a series of amend-ments, at the head of which was this, charac-terized by Samuel Adams, in the Convention, as "a summary of a Bill of Rights:"

"That it be explicitly declared, that all powers no

lina, with minorities in Pennsylvania and Maryland, united in this proposition. In pursuance of these recommendations, the first Congress presented for adoption the following article, which, being ratified by a proper number of States, became a part of the Constitution, as the 10th amendment:

"The powers not delegated to the United States by

Stronger words could not be employed to limit the power under the Constitution, and to protect to people from all assumptions of the National Government, particularly in derogation of Freedom. Its guardian character commended it to the sagacious mind of Jefferson, who said: "I consider the foundation cornerstone of the Constitution of the United States to be laid upon the tenth article of the amendments." And Samuel Adams, ever watchful for Freedom, said: "It removes a doubt which many have entertained respecting the matter, and gives assurance that, if any law made by the Federal Government shall be extended beyond the power granted by the Constitution, and inconsistent with the Constitution of this State, it will be an error, and adjudged by the courts of law to be void."

Beyond all question the National Govern-

port a system of Slavery. The absence of all such power is hardly more clear in one case than in the other.

At the risk of repetition, but for the sake of

learness, review now this argument, and

gather it together. Considering that Slavery

is of such an offensive character that it can ture by the past," said the celebrated preacher.
"within fifty years from this time, it will be it has no such "positive" sanction in the Confind sanction only in "positive law," and that stitution; that the Constitution, according to its Preamble, was ordained "to establish jus tice" and "secure the blessings of liberty;" that, in the Convention which framed it, and also elsewhere at the time, it was declared not to sanction Slavery; that, according to the British Abolitionists, the honorary degree of or on the national territory, but was openly condemned by the Nation, the Church, the Colleges, and Literature of the time; and, finally, that, according to an Amendment of the Constitution, the National Government can only exercise powers delegated to it among which there is none to support Slavery; considering these things, sir, it is impossible to avoid the single conclusion that Slavery is in no respect a national institution, and that the Constitution nowhere upholds property in man.

But there is one other special provision of the Constitution, which I have reserved to this stage, not so much from its superior import-ance, but because it may fitly stand by itself. This alone, if practically applied, would carry Freedom to all within its influence. It is an amendment proposed by the first Congress, as

"No person shall be deprived of life, liberty, o Under this regis the liberty of every person within the national jurisdiction is unequivo-cally placed. I say of every person. Of this there can be no question. The word "person" in the Constitution embraces every human being within its sphere, whether Caucasian. Indian, or African, from the President to the slave. Show me a person, no matter what his condition, or race, or color, within the national jurisdiction, and I confidently claim for him this protection. The natural meaning of the clause is clear, but a single fact of its history places it in the broad light of noon. As originally recommended by North Carolina and Virginia, it was restrained to the freeman. Its language was, "No freeman ought to be de-prived of his life, liberty, or property, but by the law of the land." In rejecting this limita-tion, the authors of the amendment revealed their purpose, that no person, under the Na-

risdiction will refuse to cover a slave. Beneath its beneficent folds, wherever it is carried, on land or sea, Slavery will disappear, like darkness under the arrows of the ascending sun-like the Spirit of Evil before the Angel of the Lord. In all national territories Slavery will be

On the high seas, under the national flag Slavery will be impossible. In the District of Columbia Slavery will in

stantly cease.

Inspired by these principles, Congress can give no sanction to Slavery by the admission

of new Slave States.

Nowhere under the Constitution can the Nation, by legislation or otherwise, support Slavery, hunt slaves, or hold property in man. Such, sir, are my sincere convictions. According to the Constitution, as I understand it, in the light of the Past and of its true principles, there is no other conclusion which is rational or tenable; which does not defy the authoritative rules of interpretation; which does not falsify indisputable facts of history which does not affront the public opinion in which it had its birth; and which does not dishonor the memory of the Fathers. And yet these convictions are now placed under formal ban by politicians of the hour. The generous sentiments which filled the early patriots, and which impressed upon the Government they founded, as upon the coin they circulated, the image and superscription of LIBERTY, have lost their power. The slave-masters, few in number, amounting to about 300,000, according to the recent census, have succeeded in dictating the policy of the National Govern-ment, and have written SLAVERY on its front. And now an arrogant and unrelenting ostracism is applied, not only to all who express themselves against Slavery, but to every man who is unwilling to be the menial of Slavery. A novel test for office is introduced, which would have excluded all the Fathers of the Republic—even Washington Jefferson, and Franklin! Yes sir. Startling it may be; but indisputable. Could these revered demigods of history once again descend upon earth, and mingle in our affairs, not one of them could receive a nomination from the National Convention of either of the two old political parties! Out of the convictions of their hearts and the utterances of their lips against Slavery they would be condemned.

This single fact reveals the extent to which the National Government has departed from

its true course and its great examples. For myself, I know no better aim under the Con-stitution, than to bring the Government back to the precise position on this question which it occupied on the auspicious morning of its first organization under Washington;

that the sentiments of the Fathers may again

To such as count this aspiration unreasona-ble let me commend a renowned and life-giving precedent of English history. As early as the days of Queen Elizabeth, a courtier had boasted that the air of England was too pure for a
slave to breathe, and the common law was said
to forbid Slavery. And yet in the face of this
yaunt, kindred to that of our Fathers, and so truly honorable, slaves were introduced from the West Indies. The custom of slavery grad-ually prevailed. Its positive legality was af-firmed, in professional opinions, by two eminent lawyers, Talbot and Yorke, each afterwards Lord Chancellor. It was also affirmed on the bench by the latter as Lord Hardwicke. England was already a Slave State. The following advertisement, copied from a London newspaper, the Public Advertiser, of Nov. 22d, 1769, shews that the journals there were disfigured as some of our cores in the District of figured as some of ours, even in the District of Columbia: